REMARKS

Claims 1-44 are currently pending in this application. Applicant has amended claims 1, 3, 6-11, 13, and 17-19 to clarify that the application is a server application and to address typographical and stylistic issues. Applicant has added new claims 21-44 to more particularly point out and distinctly claim Applicant's invention. No new matter has been introduced by way of these amendments.

The Examiner rejected claims 1-20 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,006,264 issued to Colby, et al. ("Colby"). In essence, the Examiner asserts that the content-aware flow switch 110 of Figure 1b is the claimed first computing device. Applicant respectfully traverses the Examiner's rejection. The content-aware flow switch 110 of Colby does not correspond to the Applicant's first computing device because it does not respond to a request packet by performing an operation of a server application or by forwarding a second request packet containing a reference to a data structure.

Specifically, each of Applicant's independent claims recite aspects that are nowhere present in Colby. For example, independent claim 1 as amended recites, "**a first computing device configured to ... perform an operation of a server application ... and ... output a second information packet ... including a reference to the data structure.**" Independent claim 11 as amended recites, "**the first computing device, performing an operation of a server application ... and ... outputting a second information packet ... including a reference to the data structure.**"

The Examiner points to the content-aware flow switch 110 illustrated in Figure 1b of Colby as similar to Applicant's first computing device. However, the content-aware flow switch 110 of Colby comprises a web-flow redirector WFR, which creates request and response (traffic) flows between a client and a set of local servers that are connected to the switch 110, based upon matching client requests to the capabilities and resources of the available local servers. (See, Colby, at Col. 14, ln. 5-18.) Once a flow to a local server is chosen, switch 110 sets up a connection with the local server and forwards the request packet to the local server. (See, Col. 8, ln. 49-55.) The switch 110 also sets up network address translations for locally accepted flows to handle processing of future packets. (See, Col. 8, ln. 9-12.) If, instead, a non-

local (remote) server is chosen by the switch 110, switch 110 generates a HTTP redirect command to cause *the client* to go to a chosen remote site for service. (See, Col. 8, ln. 12-15.)

There is no teaching, suggestion or motivation in the cited portions of Colby that the web-flow redirector WFR, or any other component of the content-aware flow switch 110, performs "**an operation of a server application**" as recited in claims 1 and 11. Instead, the content-aware flow switch 110 of Colby forwards the request packet to the local server in the event of a match. (See, Col. 8, ln. 49-55.) Applicant has amended claims 1 and 11 to clarify that the application performed is a server application. Applicant, however, believes that these claims prior to amendment include acts or elements not taught, suggested or motivated by Colby.

In addition, there is no teaching or suggestion in Colby that the content-aware flow switch 110 outputs "**a second information packet ... including a reference to the data structure**" as recited in claims 1 and 11. Rather, when flow switch 110 of Colby encounters a request to be handled by a remote server, an HTTP redirect command is *sent to the client to cause the client* to go to a remote site for service of the request. (See, Colby, at Col. 8, ln. 9-15.)

Accordingly, because Colby does not teach, motivate or suggest one or more aspects of a first computing device responding to a request packet by performing an operation of a server application or by forwarding a second request packet containing a reference to a data structure, Colby does not anticipate independent claims 1 and 11. Similarly, because dependent claims 2-10 and 12-20 incorporate these aspects by virtue of their dependencies, claims 2-10 and 12-20 also are not anticipated by or rendered obvious in view of Colby for at least the reasons set forth above.

In addition, the dependent claims are not taught, motivated or suggested by Colby for other reasons. For example, dependent claims 3 and 13, and by virtue of incorporation, dependent claims 4-5 and 14-15, recite, "**wherein the reference includes an IP address of the client, a port of a second application executed by the client, an IP address of the second computing device, and a port of the first application executed by the second computing device.**" The Examiner cites to Col. 6, ln. 7-20 and 58-63, which refers to the information that flow switch 110 uses to switch data packets and to data in an information database that flow switch 110 maintains. Contrary to the Examiner's indications, there is no teaching or suggestion

in this cited portion or elsewhere in Colby of a "**second data packet including a reference to the data structure**" (claims 1 and 11), let alone to a reference in the second data packet including "**an IP address of the client, a port of a second application executed by the client, an IP address of the second computing device, and a port of the first application executed by the second computing device.**" Thus, because one or more additional aspects of claims 3-5 and 13-15 are not present in Colby, Colby cannot anticipate or render obvious claims 3-5 and 13-15 for these additional reasons.

Also, for example, dependent claims 7 and 17 recite, "**when the identified computing device is a second computing device, output the second information packet to the second computing device through a local area network**" (or similar language). This feature is also not taught, suggested or motivated by Colby. In Colby, when a selected server is a local device, the flow switch 110 sets up a connection with the appropriate local server and the content request is then passed to the local server. (See Colby, Col. 8, ln. 49-55.) There is no teaching or suggesting of outputting "*a second information packet*" to the second computing device through a local area network," under such circumstances. Thus, Colby does not anticipate or render obvious claims 7 and 17 for this additional reason as well.

New claims 21-42 have been added to recite additional embodiments described in the specification as filed. Please see, e.g., Figures 2-17 of the specification as filed and the accompanying descriptions thereof. These claims also recite elements or acts that are not taught, suggested, or motivated by Colby. For example, independent claims 21 and 36 recite, "**executing a server application**" and "**forwarding a second network packet.**" Independent claim 33 recites, "**executing, by the first server, a server application**" and "**forwarding the second packet to the second server.**" The other new claims also contain aspects nowhere found in flow switch 110 of Colby. For example, independent claim 29 recites, "**[a]n application server.**" Independent claim 39 recites, "**... a data structure comprising: an Ethernet header; an encapsulation header ... and a payload component.**"

In view of the foregoing, Applicant submits that all of the claims in this application are allowable over Colby. In the event the Examiner disagrees or finds minor informalities, Applicant respectfully requests a telephone interview to discuss the Examiner's

issues and to expeditiously resolve prosecution of this application. Accompanying this Amendment is a Request for Telephone Interview in the event the Examiner does not agree that the claims are allowable over the cited references.

In closing, Applicant respectfully requests the Examiner to enter these amendments and to reconsider this application and its early allowance. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

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